IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 8506 of 2004

Between:

Mohammed Jalaluddin, S/o. Nabi Rassol,
r/o.Gram Panchayath House No. 5/131, Parkal, Parkal Mandal,
Warangal.

..... PETITIONER

AND

1 The A.P.Wakf Board Hyderabad, Rep. By its Chief Executive Officer,
A.P.State Wakf Board, Wakf Building, Haj Complex,
Public Garden Road, Hyderabad.
2 Mohd. Yakub Ali, S/o, Mahboob Ali.
12-7-1119/5/A, Shah Manzil,
Lalapet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or orders or directions more particularly in the nature of writ of mandamus in action of the Respondent No.1 against the Respondents No.2 as per the enquiry report in proceeding No. 16/B2/M/WGL/1998, dated 28/09/1999 Edgah Mosque and its attach properties situate at Parkal Mandal, Parkal District Warangal is illegal arbitrary under Articles 14 to 21 of the Constitution of India and consequently direction to Respondent No.1 to take action against Respondent No.2 and grant such other relief.

Counsel for the Petitioner: MR.M.T.GHORI

Counsel for the Respondent No.1: MR.A.M.QURESHI (SC FOR AP WAKF BOARD)

Counsel for the Respondent No.2 : None appeared

The Court made the following:

ORDER:

The petitioner questions the proceedings dated 28.9.1999 of the Chief Executive Officer, A.P.State Wakf Board, in upholding that the Idgah, Jame Masjid and graveyard in Sy.No.987, 1113 and 1145 with its attached movable and immovable properties situated at Parkal Village and Mandal, Warangal District, belong to the Wakf Board as illegal and arbitrary.

As the petitioner has an effective alternative remedy for questioning the said order before the Wakf Tribunal, which has been constituted under Section 83 of the Wakf Act, 1995 to deal with such matter, I am of the opinion that the petitioner is not entitled for any relief in this writ petition.

The writ petition is, accordingly, dismissed with liberty to the petitioner to approach the Wakf Tribunal. No order as to costs.

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(V.ESWARAIAH, J.)

8.4.2005

kpr

To

1 The Chief Executive Officer,
A.P.State Wakf Board, Wakf Building, Haj Complex,
Public Garden Road, Hyderabad.

2. 2 C.D. copies